REMARKS

Reconsideration And Allowance Are Respectfully Requested.

Claims 2, 9, 11-18, 21, 26, 27 and 28 are currently pending. Claims 2, 9 and 26 have been amended. No claims have been canceled. New claims 27 and 28 have been added. No new matter has been added. Reconsideration is respectfully requested.

Applicant would first like to thank Examiner Dorsey for the courtesies extended during the interview conducted on July 2, 2003. During the course of this interview, U.S. Patent No. 4,796,402 to Pajala (Pajala) and German Patent No. 8604004.9 (German Patent '004.9) were discussed as they related to proposed amendments to the pending claims. After discussing the proposed amendments and the prior art in substantial detail, the Examiner agreed to consider the proposed amendments when submitted.

With regard to the outstanding rejections, claims 2, 9, 11-18, 21 and 26 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Pajala in view of German Patent '004.9. This rejection is respectfully traversed in view of the amended claims and the remarks which follow.

In particular, claim 2 has been amended so as to define a multidirectional laminate flooring panel for use in constructing a floor. The panel includes a top surface, a bottom surface and a middle substrate. The middle substrate has identical grooves formed therein. The laminate panel further includes edges extending between the top and bottom surfaces, wherein the edges include identical profiles. The flooring panel further includes an outwardly tapering channel associated with each edge. The outwardly tapering channels extend substantially parallel to each respective edge. The channels are formed within the bottom surface and include a top portion with outwardly

tapering walls extending toward a bottom of the flooring panel. Independent claims 9 and 26 have been similarly amended to define the outwardly tapering channels associated with each edge.

In contrast to the claimed invention, neither Pajala, German Patent '004.9 nor the remaining prior art of record disclose a flooring panel having identical edge profiles in combination with an outwardly tapering channel as claimed. The combination of the identical edge profiles and the outwardly tapering channel allow the present flooring panels to be utilized in conjunction with a connecting member to provide a interlocking system which does not require adhesive or cumbersome connecting mechanisms.

In particular, Pajala discloses a parquet floor with a traditional tongue and groove structure. Pajala does not disclose or suggest identical edge profiles with an underlying channel. In addition, German Patent '004.9 discloses an interlocking structure with a track between adjacent plates. The interlocking structure requires that the tracks must be slid between adjacent plates to securely connect the adjacent plates. While this process might be appropriate for sport floors, the space required for sliding the tracks between the plates renders the system disclosed in German Patent '004.9 inappropriate for most applications. In contrast, the claimed flooring panel provides for connection of adjacent panels via a simple edge connecting mechanism.

With this in mind, German Patent '004.9 fails to disclose outwardly tapering channels formed in the underside of the plates. Rather, German Patent '004.9 discloses substantially square recesses adapted for receiving a "bend 9". The substantially square recesses disclosed in German Patent '004.9 are appropriate for the sliding tracks used in the interlocking structure of German Patent '004.9. The recesses are well suited for the sliding tracks and result in a strong connection between adjacent plates. However, the recesses and "bends 9" prevent a lateral connection as

employed in accordance with the claimed invention, wherein the plate is "snapped" onto a connector already positioned on the support surface. German Patent '004.9 fails to appreciate the convenient connection structure claimed in accordance with the present invention. With this in mind, there is no suggestion in German Patent '004.9 for employing an outwardly tapering channel as claimed in accordance with the present invention, since the substantially square recesses disclosed in German Patent '004.9 are specifically designed for the rigid structure contemplated in accordance with the disclosed invention.

As nothing in the prior art either discloses or suggests the claimed laminate flooring panel, it is Applicant's opinion amended claims 2, 9 and 26 overcome the prior art of record. As such, Applicant respectfully requests that the outstanding rejection be withdrawn. As to those claims dependent upon independent claims 26, they are believed to overcome the prior art of record for the reasons presented above.

With regard to new claim 27, a multidirectional laminate flooring panel for use in constructing a floor is claimed. The flooring panel includes a top surface, a bottom surface and a middle substrate. The middle substrate has identical grooves formed therein and edges extending between the top and bottom surfaces. The flooring panel further includes a thickness which remains substantially constant between the edges of the flooring panel. It is Applicant's opinion that nothing in the prior art either discloses or suggests a flooring panel wherein the edges include identical profiles and the thickness of the flooring panel remains substantially constant between the edges of the flooring panel.

In particular, and with reference to Pajala, a traditional floorboard is disclosed. However, the floorboard does not include identical grooves formed along all edges thereof and Pajala fails to

disclose or suggest the claimed invention. With regard to German Patent '004.9, this reference fails to disclose a flooring panel having a substantially constant thickness between edges of the flooring panel. The track disclosed in German Patent '004.9 requires that the thickness adjacent the edges of the plate be reduced to accommodate positioning of the track therebetween. This is in contrast with the connecting system of the present invention which provides for connection of adjacent panels through the utilization of a connecting member wherein the thickness of the flooring panels remain substantially constant between edges of the flooring panel. Further to the disclosures of Pajala and German Patent '004.9, it is Applicant's opinion that nothing in the prior art either discloses or suggests the laminate flooring panel set forth in new claim 27. As such, claim 27 and those claims dependent thereon are believed to be allowable over the prior art of record.

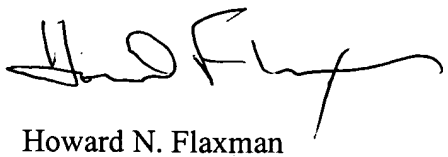
As to new claim 28, a multidirectional laminate flooring panel is also claimed. The flooring panel includes edges having identical profiles with angled portions. The angled portions are provided such that the top surface is longer than the bottom surface and the middle substrate adjacent the bottom surface. This permits the top surface of adjacent flooring panels to be positioned coextensive while the bottom surface and the middle substrate adjacent the bottom surface of adjacent flooring panels are spaced a distance sufficient for positioning of a connector therebetween.

In contrast to the claimed invention, Pajala discloses a floorboard having an edge profile which arguably includes an angled portion. However, the floorboard of Pajala does not include identical grooves along all edges and does not include an angled portion such that the top surface is longer than the bottom surface and the middle substrate adjacent the bottom surface. While the outstanding Office Action attempts to remedy the failure of Pajala to disclose identical edges about

the periphery of the floorboard based upon the disclosure of German Patent '004.9, German Patent '004.9 fails to suggest why one would modify the floorboard disclosed by Pajala to include the structure required in accordance with new claim 28. To modify Pajala based upon German Patent '004.9 such that it reads upon the pending claim would require a substantial overhaul of the floorboard contemplated by Pajala. That is, the tongue and groove structure contemplated by Pajala would need to be replaced with a track as disclosed in German Patent '004.9, the relationship between the top surface and the bottom surface would need to be altered such that the track could be positioned between adjacent floorboards, and one would need to determine the necessity for the angled portion of Pajala when profile alterations were made so as to accommodate the track of German Patent '004.9. As one of ordinary skill would certainly appreciate, the vast overhaul of Pajala based upon the teachings of German Patent '004.9 so as to read upon the pending claims would require substantial modifications neither taught nor suggested in the prior art. It is, therefore, Applicant's opinion that claim 28 also overcomes the prior art of record and Applicant respectfully requests that allowability be indicated.

It is believed that this case is in condition for allowance and reconsideration thereof and early issuance is respectfully requested. If it is felt that an interview would expedite prosecution of this application, please do not hesitate to contact applicants' representative at the below number.

Respectfully submitted,



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